

PTO/SB/30 (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Application Number</b>	09/928,325
	<b>Filing Date</b>	Aug. 13, 2001
	<b>First Named Inventor</b>	Stephen Paul Denis
	<b>Art Unit</b>	1772
	<b>Examiner Name</b>	Rhee, Jane J.
	<b>Attorney Docket Number</b>	SPD-001

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

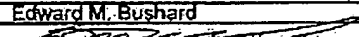
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.170) required.
- b. ☐ Other \_\_\_\_\_

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to:
- a. ☐ Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.138 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)


WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Edward M. Bushard	Registration No. (Attorney/Agent)	48,974
Signature		Date	January 11, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)	Edward M. Bushard
Signature	
Date	January 11, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8109 and select option 2.

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01 FC:2801

385.00 OP

PATENT

Docket No.: ELK-001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1772

Examiner: Rhee, Jane J.

Serial No.: 09/928,325

Filed: Aug. 13, 2001

In re Application of: Stephen Paul Denis

For: MEANS AND METHODS FOR PROTECTING DEGLET NOOR  
DATESRECEIVED  
CENTRAL FAX CENTER

JAN 12 2004

OFFICIAL

Certificate of Facsimile

I hereby certify that this correspondence is being deposited with the United States  
Patent Office by facsimile on January 11, 2004.

Signed

Edward Bushard

AMENDMENT AND RESPONSE TO OFFICE ACTION

Director of Patents  
Box CPA  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated August 11, 2003, kindly consider the  
following amendment and remark:

AMENDMENT TO THE CLAIMS

1. (CANCELED)
2. (PREVIOUSLY PRESENTED) The cover of claim 1 wherein said fabric is white, woven, open-mesh polyester having a weight of 86 to 113 grams per square meter (2.5 to 3.3 ounces per square yard).
3. (PREVIOUSLY PRESENTED) The cover of claim 1 wherein said fabric has a cloth count of approximately 13 warps by 10 fills per square centimeter (32 warps by 26 fills per square inch).
4. (CANCELED)
5. (CANCELED)
6. (CANCELED)
7. (AMENDED) A cover for protecting Deglet Noor dates from birds, rain,

01/13/2004 SDENB081 00000103 09928325

02 FC:2252

210.00 OP